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FM AMEMBASSY BISHKEK  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 8462  
INFO RUCNCIS/CIS COLLECTIVE IMMEDIATE  
RUEHBJ/AMEMBASSY BEIJING IMMEDIATE 1784  
RUEHDBU/AMEMBASSY DUSHANBE IMMEDIATE 1314  
RHEFDIA/DIA WASHDC IMMEDIATE  
RUEKJCS/OSD WASHDC IMMEDIATE  
RUEAIIA/CIA WASHDC IMMEDIATE  
RHEHNSC/NSC WASHDC IMMEDIATE  
RUEKJCS/SECDEF WASHDC IMMEDIATE  
RUEKJCS/JOINT STAFF WASHDC IMMEDIATE  
RUEHGV/USMISSION GENEVA IMMEDIATE 0359  
RUEHVEN/USMISSION USOSCE IMMEDIATE 2196  
RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 1581  
RUEHNO/USMISSION USNATO BRUSSELS BE IMMEDIATE  
RUEHBS/USEU BRUSSELS IMMEDIATE  
RUEHLMC/MILLENNIUM CHALLENGE CORP IMMEDIATE  
RUMICEA/USCENTCOM INTEL CEN MACDILL AFB FL IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 03 BISHKEK 001548

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DEPT FOR SCA/CEN

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TAGS: [PGOV](#) [PREL](#) [KG](#)

SUBJECT: BAKIYEV AND KYRGYZ OPPOSITION CLOSER TO AGREEMENT  
ON CONSTITUTION; NOVEMBER 2 PROTEST STILL ON

REF: A. BISHKEK 1537

[1](#)B. BISHKEK 1532

[1](#)C. BISHKEK 1506

[1](#)D. BISHKEK 1423

[1](#)E. STATE 180495

BISHKEK 00001548 001.2 OF 003

Classified By: Amb. Marie L. Yovanovitch, Reason 1.4 (b) and (d).

[1](#)1. (C) SUMMARY: According to opposition leaders, in a series of meetings October 31 to discuss the opposition's demands for reforms, President Bakiyev and the Kyrgyz opposition reached provisional agreement on the broad form of a new constitution, and President Bakiyev may present a draft along the agreed lines to the Parliament on November 2. While constitutional reform was at the center of the opposition's demands, several unresolved issues remain. It appears, however, that there was agreement regarding KTR becoming a public television station. The opposition intends to go ahead with its planned mass demonstration on November 2, in part to ensure that Bakiyev keeps his word on the agreement. If this apparent compromise on the constitution holds, it is more likely that the demonstration will be shorter in duration -- not the "indefinite protest" the opposition had promised.

[1](#)2. (C) However, we caution that the opposition's interpretation of the agreements concluded may vary from the that of the Presidential Administration; moreover, we have seen before that President Bakiyev can change his mind on a dime and for no apparent reason. We remain concerned about the protest and continue to stress to all sides the need to act lawfully, constitutionally, and non-violently (per Ref E). END SUMMARY.

Agreement on Constitution

[1](#)3. (SBU) Meetings at the Parliament, at the Presidential

Administration, and among the opposition are continuing on the eve of the opposition's planned demonstration November 2.

Direct discussions between the government and opposition began in earnest on October 31, with meetings going on well into the night. President Bakiyev, along with Prime Minister Kulov, State Secretary Madumarov, and Chief of Staff Abdyldayev met twice with opposition leaders MPs Beknazarov, Sariyev, Tekebayev, Eshimkanov, Sherniyazov, and former Trade Minister Atambayev. Between those two meetings there was a three-on-three "experts" meeting to discuss possible compromise on a draft constitution. While no overall agreement was reached, the President and the opposition did agree -- at least according to the opposition -- on the outline of a new constitution and there was progress on reviving the public television law earlier vetoed by Bakiyev.

14. (C) On November 1, the Ambassador met separately with opposition leaders and "For Reforms" "experts" MP Azimbek Beknazarov, MP Omurbek Tekebayev, and MP Temir Sariyev to get their assessment of the status of the discussions with the government. Beknazarov indicated that they had reached agreement with Bakiyev over the form of a new constitution, and that the November 2 protest could turn into a celebration. Sariyev was much less optimistic about the agreement, saying he was not sure that Bakiyev would implement the agreement. Tekebayev was somewhere in the middle, saying that the large crowd of protesters would guarantee that Bakiyev kept his word. In any event, they said that the November 2 protest would take place as planned, partly to ensure the President keeps his promise.

Beknazarov: Over the Moon  
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15. (C) Beknazarov told the Ambassador that he, Tekebayev, and Sariyev worked all night with Abdyldayev, Madumarov and Legal Policy Department Head Zulpiyev to hammer out a new draft of the constitution, one based on the mixed form of government draft that Beknazarov's working group wrote earlier in the year. In this version, the President remains Head of State, while the party that holds a plurality of seats in Parliament appoints the Prime Minister and forms the government. Beknazarov was confident that the new draft would provide balance within the government.

16. (C) He said Parliament would approve the draft constitution and the President would sign it on the morning of November 2. At that point, said Beknazarov, the demonstration would turn into a mass celebration. He added that the President had also agreed to withdraw his veto of the public television law and allow state-owned KTR to become independent. Such developments, gleefully confided Beknazarov, indicated a positive step toward full compromise between the opposition and the President. He had no doubt that Bakiyev would sign the new draft on November 2, thereby setting off a chain of events that would lead to the immediate creation of a new government -- although he admitted that the President had not agreed to immediate implementation.

Tekebayev: Cautiously Optimistic  
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17. (C) Tekebayev told the Ambassador that the President had agreed to a mixed system of government as Beknazarov described above, but said there was no draft yet and the future draft would be based on the June 2005 version. He said the President wants to retain his full powers, and so would probably not agree to the immediate formation of a new government. While they had not reached a "full agreement" with the President, and if Bakiyev wished to stay in office, it would be in his best interest to adopt the new constitution -- especially with thousands of angry protestors

surrounding the White House. Tekebayev said the demonstrators would act as a "guarantor" to ensure that President Bakiyev kept his word. The Ambassador, once again, stressed the importance of conducting the demonstration in a peaceful, legal manner. With a small smile, Tekebayev, in response, assured the Ambassador that control would be established, unless the government uses force against the protestors.

Sariyev: Less than Impressed  
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18. (C) Sariyev said that while an agreement had been reached regarding the implementation of the new draft constitution, the October 31 meetings had done little to address the other demands of the opposition. He said that November 2 could still be problematic, as a number of questions, including on personnel, remained unanswered by President Bakiyev, and he was not certain that the President would keep his promise to allow the formation of a new government after signing the constitution on November 2. He said that Parliament was currently discussing what should take place at the November 2 session (i.e., should there be a vote on a new draft constitution).

19. (C) Like Beknazarov and Tekebayev, Sariyev added that the demonstration would take place, despite these new developments, to ensure that the President realized the seriousness of the situation. Sariyev promised that it would be a peaceful rally and that the MVD and Procurator had provided assurances that no aggression would be allowed -- on either side.

Preparations for Rally Continue

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10. (SBU) Preparations for the November 2 rally are continuing. Protest organizers have designated separate rally points near the center of the city for different parties and groups to meet, starting as early as 9:00 am near the Parliament. From the rally points, the groups plan to walk to the central Ala-too Square, where the protest would begin at 2:00 pm.

11. (SBU) Several businesses have said that they will close for the day, and some stores are adding additional security to protect against looting or property damage. According to press reports, 6500 police will be deployed for the rally, but dispersed around the city to protect property. Deputy Interior Minister Suvanaliyev said that the police would carry only rubber bullets. The National Guard will be deployed to protect government buildings. Kadyr Malikov, a leading Islamic scholar and frequent critic of the Muftiyat and official clergy, issued a fatwa urging Muslims to refrain from looting, theft, and illegal occupation of property.

Embassy Coverage of Events  
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12. (C) The Embassy will deploy roving teams in Embassy vehicles to observe conditions around the city on November 2. In addition, the Embassy has two fixed observation posts in offices with views of Ala-too Square and the White House. There will be a command center set up at the Embassy with dedicated phone lines to keep in regular contact with each team and to maintain event logs.

COMMENT  
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13. (C) Sariyev and Beknazarov claimed that the President was a broken man, who appeared to have lost his confidence, his public bluster and was ready to compromise. Beknazarov said the President complained that the opposition was leaving him

"with nothing." It appears the President may be starting to take the opposition seriously and could be making some compromises -- although Tekebayev bluntly said, "We do not trust him," and will insist the President sign the new Constitution and the law on the media before the demonstrators go home. The question is whether the agreement that is finally hammered out will be enough for the emboldened opposition and whether the opposition has the political strength to intimidate the President into further compromises from the street. There is also the question of whether the President, a mercurial man, will stick to the agreements the opposition thinks he has made. (We have been unable to talk to sources in the Presidential Administration with knowledge of the negotiations.)

¶14. (C) The opposition seems to be ready to stay the course (or at least the weekend), and if it is not successful now, come back in the spring for more demonstrations. The weather could be helpful as the forecast for November 2 calls for clearing skies in the afternoon, and dry and warm for the next several days.

¶15. (C) As the November 2 demonstration draws near and there is no compromise, there is more anxiety among our interlocutors. However, the fact that the two sides are now talking is a good sign. We remain, however, concerned that thousands of people in the same place could create an unpredictable situation that neither the opposition nor the Government will manage well.

YOVANOVITCH